

Message Text

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ACTION ARA-20

INFO OCT-01 ADP-00 CIAE-00 INR-10 IO-13 JUSE-00 NSAE-00

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C O N F I D E N T I A L PANAMA 3781

E.O. 11652: GDS

TAGS: SNAR PN

SUBJ: NORIEGA LETTER ON NARCOTICS

REF: PANAMA 3760

SUMMARY. LT. COL. NORIEGA SENT LETTER JULY 5 TO PRESIDENT OF LEGISLATIVE COMMISSION, ECHOING GENERAL TORRIJOS' CONCERN (SEE REFTTEL) ABOUT NARCOTICS TRAFFICKING, AND URGING THAT LEGISLATIVE COMMISSION CONSIDER COMPREHENSIVE LAWS TO PLUG LOOPHOLES IN PRESENT LEGAL STRUCTURE AND TO ENCOMPASS MEDICAL AND SOCIAL PROBLEMS OF DRUG ABUSE AS WELL AS ENFORCEMENT. END SUMMARY.

1. INFORMAL TRANSLATION OF FULL TEXT OF NORIEGA'S LETTER WHICH WAS OBTAINED BY DEA AGENT HEATH FOLLOWS:
QUOTE. 5 JULY 1973. CITIZEN PRESIDENT: ECHOING THE CONCERN OF GENERAL TORRIJOS IN THE BATTLE AGAINST THE ILLICIT TRAFFIC IN NARCOTICS AND AS A COMMENTARY ON THE GUIDANCE ENUNCIATED BY HIM IN HIS MEMORANDUM TO THE MEMBERS OF THE SUPREME COURT, PERMIT ME TO MAKE A COMMENTARY (WHICH IS A), PRODUCT OF MY OWN EXPERIENCE IN THE REPRESSIVE BATTLE AGAINST THE SAME (TRAFFIC IN NARCOTICS):

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1. I DO NOT SHARE THE CONCEPT AND REALITY DOES NOT SHOW

THAT WE HAVE IN OUR LEGISLATION, ALL THE PROVISIONS (OF THE LAW
AHAT ARE) NECESSARY IN ORDER TO PREVENT A MOCKERY OF JUSTICE IN
THIS FIELD.

2. THE CRIMINAL IN THIS SPECIALTY ACTS WITH ADVANTAGE,
AND BEHIND HIM THERE IS THE MOST COMPLETE LEGAL ORGANIZATION,
WHICH CAN MAKE USE OF MONEY FOR LARGE BAILS AND MANY LAWYERS.

3. CONTROL OF ILLICIT TRAFFIC SHOULD NOT BE LIMITED
SOLELY TO POLICE ACTION OF THE NATIONAL GUARD; BUT SHOULD BE
COORDINATED IN A UNIFIED STRUCTURE OF LEGAL, MEDICAL AND POLICE
MEASURES IN ORDER TO INTEGRATE DULY ALL THE SOCIAL FACETS OF
THE PROBLEM.

4. BROADENING POINT NUMBER 3, WE SAY THAT NOT ONLY
SHOULD THE PENAL LAWS BE MODIFIED, BUT THAT THESE SHOULD MARCH
PARALLEL AND COORDINATED WITH THE PHARMACEUTICAL, MEDICAL AND
SOCIAL ARRANGEMENTS CONCERNING THE CONTROL OF THE PROBLEM.

5. IT IS NECESSARY TO ACCEPT, AND THIS WE HAVE PROVEN,
THAT UNITY OF DOCTRINE DOES NOT NOW EXIST AMONG THOSE FUNCTIONA-
RIES RESPONSIBLE FOR HANDLING THE CASES AND MAKING DECISIONS.
WITHOUT FEAR OF BEING WRONG WE MUST SAY THAT A DEEP DIVISION
EXISTS AMONG JUDICIAL FUNCTIONARIES THAT IN THE MAKING OF
DECISIONS POLARIZES SUBORDINATES IN FAVOR OF OR AGAINST
(CERTAIN) DECISIONS.

SUMMARIZING: OUR ENTIRE JUDICIAL ORGANIZATION IS DIVIDED INTO
TWO GROUPS: BY FRIENDSHIP OR BY INFLUENCE, AND THEY ARE
SITUATED WHERE THEY BELIEVE THEY ARE BEST PROTECTED. THE
LOWER LEVELS OF THE JUDICIAL ORGANIZATION ARE NOT AWARE OF THE
PROBLEM OF DRUGS AND ACCEPT THESE CASES WITH THE SAME SIMPLISTIC
CONCEPT AS AN ORDINARY CASE.

I COMMEND TO YOU MEASURES OF (THOSE) COUNTRIES THAT HAVE
ADVANCED MORE THAN WE IN THE LEGAL STRUCTURE CONCERNING
NARCOTICS. FOR EXAMPLE: VENEZUELA, ECUDAOR, AND COLOMBIA.
I RESPECTFULLY SUGGEST TO THE MEMBERS OF THE LEGISLATIVE
COMMISSION THAT THEY APPOINT A COMMITTEE FROM THE (COMMISSION)
IN ORDER TO COORDINATE IN OUR CIRCLES THE EXPERIENCE OF THE
DEPARTMENT OF DRUG AND FOOD CONTROLS UNDER THE DIRECTION OF
LICENCIADA LILA LEE, AS WELL AS THAT OF A DOCTOR
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OF THE PSYCHIATRIC HOSPITAL WHO HAS EXPERIENCE IN THE TREATMENT
OF THOSE (MADE) ILL BY THE ABUSE OF DRUGS; ALSO (COORDINATING)
THE EXPERIENCE AND THE SPLENDID AND PRACTICAL KNOWLEDGE OF
LIC. CARLOS DARIO SANDOVAL OF THE OFFICE OF THE ATTORNEY
GENERAL, WITH HIS EXPERIENCE OF 16 YEARS OF ACTIVITY IN THIS
FIELD.

I AM SURE THAT THE OBSERVATIONS THAT THE ABOVE-MENTIONED
PERSONS PRESENT CAN CONTRIBUTE TO YOUR PREPARATION OF A LAW

WITH THE NECESSARY SOCIAL SENSIBILITY, TO TREAT THE SICK AND THE CONSUMER; AND WITH SUFFICIENT ENERGY THAT IT SERVES AS A WARNING TO THOSE WHO CRIMINALLY TRAFFIC IN IT (NARCOTICS), AT THE COST OF THE FUTURE OF THE YOUTH. ATTENTIVELY YOURS, 'ALL FOR THE FATERLAND', LT. COL. MANUEL A. NORIEGA, G-2 OF THE GENERAL STAFF OF THE NATIONAL GUARD. TO CITIZEN LIC. MARCELINO JAEN, PRESIDENT OF THE LEGISLATIVE COMMISSION. END QUOTE.

2. SPANISH LANGUAGE VERSION OF NORIEGA LETTER FOLLOWS BY AIRGRAM.
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